



Disaster and Emergency Management Resources

Hazardous Materials

Hazardous materials are a concern for West Virginia due to the potential that a sudden, accidental release of such materials or their intentional illegal release could be dangerous to human health and safety, to property, and to the quality of the environment.

Many communities in West Virginia, both urban and rural, are vulnerable to the potential impacts of the release of hazardous materials. Such releases may be accidental or illegal releases from fixed sources, such as a chemical plants and manufacturing or storage facility, or from a transportation source, such as a truck, train, boat/barge, or pipeline. West Virginia has a large transportation network consisting of major highways, airports, and railroads. With the configuration of several major highways in West Virginia, such as Interstates 64, 68, 70, 77, 79, and 81 as well as the West Virginia Turnpike, it is important to note that a major transportation accident could occur in a relatively rural area, severely stressing the capabilities of local resources to respond effectively.

In addition, there is also a possibility that terrorists could select a hazardous materials site in West Virginia as a target, with the intention of criminally releasing hazardous materials into the environment. Additional information about Terrorism can be found in section 11.1.

West Virginia communities are also vulnerable to legal and illegal disposal of hazardous materials. The map in figure 9.1A illustrates the state sites that are sufficiently contaminated with hazardous materials to be designated “Superfund” sites, with remediation under the supervision of EPA.

On October 17, 1986, in response to concerns for safety around chemical facilities, Congress enacted the Emergency Planning and Community Right to Know Act (EPCRA), also known as Title III of the Superfund Amendments and Reauthorization Act (SARA). The Act has had a far-reaching influence on issues relating to hazardous materials. EPCRA’s five sections cover issues associated with the manufacture, use, and transportation of hazardous materials, exposure to them, and about them. It is the mission of the State Emergency Response Commission (SERC) and Local Emergency Planning Committees (LEPCs) to implement EPCRA and to mitigate the effects of a release or spill of hazardous materials.

Hazard Terminology

Hazardous Material – Any material or substance that, even in normal use, poses a risk to health, safety, property, or the environment.

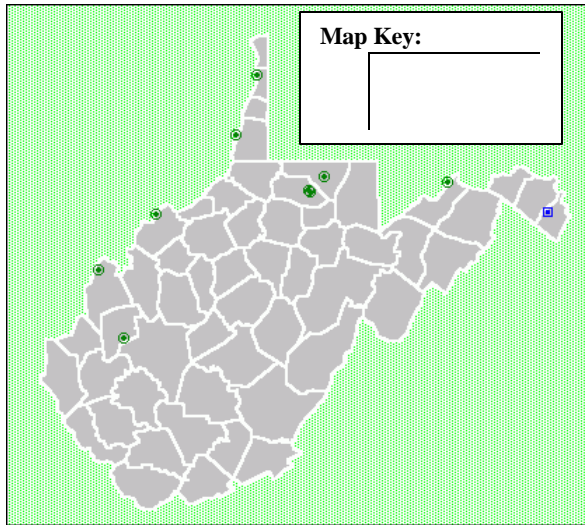


Figure 9.1A: Designated Superfund Sites in West Virginia (U.S. EPA, 2003)

Effective June 1995, the WV SERC began making grants available to active LEPCs within the state.

The LEPC prepares hazardous materials emergency plans, which indicate facilities that use, produce, or store hazardous substances present in the jurisdiction. The LEPC serves as the repository for filing under Title III of the EPCRA of 1986. The LEPC directs Title III implementation activities and performs associated outreach functions to increase awareness and understanding of and compliance

with the Title III program.

The Hazardous Materials Emergency Preparedness (HMEP) grant program is designed to provide financial and technical assistance to enhance state, territorial, tribal, and local hazardous materials emergency planning and training. The HMEP Grant Program distributes fees collected from shippers and carriers of hazardous materials to emergency responders for Hazmat training and to LEPC's for Hazmat planning.

Legislative Rules: Title 55 became effective June 14, 1993, and provides guidance by the WV Legislature on implementing EPCRA and SARA Title III for the WV SERC and LEPCs throughout the State. House Bill 2382 implements Federal Legislation on EPCRA and SARA Title III into West Virginia Law

From the West Virginia All-Hazard Mitigation Plan, West Virginia Office of Emergency Services